

BILL ANALYSIS

H.B. 3609
By: Burns
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that although state law requires courts to report convictions for traffic violations to the Department of Public Safety (DPS) within a short timeframe after the date of conviction, some courts report convictions months and even years after the conviction date. These parties contend that this delayed reporting is unfair to drivers, particularly when it results in untimely driver's license suspension or surcharges under the driver responsibility program. H.B. 3609 seeks to address this issue by prohibiting DPS from considering a conviction against a driver's license holder that is received by DPS after the first anniversary of the conviction date in a decision to impose an enforcement action against the license holder with certain exceptions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3609 amends the Transportation Code to prohibit the Department of Public Safety (DPS) from considering a record of a conviction of a traffic violation of a driver's license holder that is received by DPS after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder, including a decision to suspend, revoke, or deny renewal of the license holder's driver's license or to assign points to the license holder's driver's license under the driver responsibility program, but authorizes DPS to so consider such a record that is received by DPS after the first anniversary of the date of the conviction in a decision to impose an enforcement action against the license holder if the license holder is a commercial driver's license holder or was a commercial driver's license holder at the time of the offense, was operating a commercial motor vehicle at the time of the offense, or was operating a motor vehicle and transporting a hazardous material at the time of the offense, or if the conviction is for an intoxication or alcoholic beverage offense.

EFFECTIVE DATE

September 1, 2017.